

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
JONESBORO DIVISION

LARRY JONES,
ADC #651282

PLAINTIFF

v.

3:05CV00276HLJ

POINSETT COUNTY
JAIL, et al.

DEFENDANTS

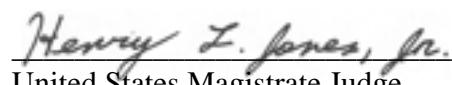
ORDER

By Order dated August 2, 2006 (DE #7), this Court granted plaintiff's application to proceed in forma pauperis in this action filed pursuant to 42 U.S.C. § 1983. However, finding plaintiff's complaint too vague and conclusory to enable the Court to determine whether it is frivolous, fails to state a claim, or states a legitimate claim, the Court directed plaintiff to submit an amended complaint within thirty days. Plaintiff has now submitted an amended complaint (DE #9), and having reviewed the original and amended complaints, and construing them together, it now appears to the Court that service is appropriate. With respect to plaintiff's complaint, the Court notes that plaintiff has identified some defendants as "Jane and John Does". Since the identity of these defendants is not known, the Clerk can not issue summons, and the Marshal is unable to serve an unknown person. After the complaint is filed, plaintiff will be allowed to engage in limited discovery consistent with the Federal Rules of Civil Procedure, if necessary, to try to determine the identity of the Jane and John Does. Once plaintiff is able to identify defendants by name and address, the Court should be notified so that service can be ordered. It is the plaintiff's responsibility to ensure that sufficient copies of the complaint are submitted for service on any Jane and John Doe named. Accordingly,

IT IS, THEREFORE, ORDERED that service is appropriate for the defendants Larry Mills, Wayne

Conzort, Larry Hunt, Kim Hendrix, and Michael Ray. The Clerk of the Court shall prepare summons for the defendants and the United States Marshal is hereby directed to serve a copy of the original (DE #1) and amended complaints (DE #9) and summons on defendants without prepayment of fees and costs or security therefore.

IT IS SO ORDERED this 12th day of September, 2006.



United States Magistrate Judge